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5 Attorney for Defendants

6 COUNTY OF SISKIYOU and ANDREA FOX

7 **IN THE UNITED STATES DISTRICT COURT**
8
EASTERN DISTRICT OF CALIFORNIA

9
10 PHILLIP HOFF,

11 Plaintiff,

12 v.

13 COUNTY OF SISKIYOU, an administrative
14 body; ANDREA FOX, ex-HOA manager; and
15 DOES 1-5, INCLUSIVE,

16 Defendants.

) CASE NO.: 2:23-cv-00535-WBS-JDP
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21 Plaintiff PHILLIP HOFF (hereinafter, "Plaintiff"), by and through his counsel, Reshma
22 Kamath, Esq. of the Law Office of Reshma Kamath and Defendants COUNTY OF SISKIYOU
23 ("County") and ANDREA FOX, by and through counsel, Shanan L. Hewitt, Esq. of the Law
24 Offices of Rivera Hewitt Paul LLP, hereby stipulate pursuant to Local Rule 144(a) to an
25 extension of time for defendants to file a responsive pleading to Plaintiff's Fourth Amended
26 Complaint for Damages (Doc. 36) filed on January 24, 2024, in accordance with the Federal
27 Rules of Civil Procedure and the Eastern District Local Rules. The parties stipulate and have
28 agreed to extend the responsive pleading deadline as follows:

- 1 (1) Plaintiff Phillip Hoff's Fourth Amended Complaint was filed on January 24, 2024, six
2 days ahead of the court-ordered deadline, which fell on January 30, after the Court's
3 order on defendants' motion to dismiss and motion to strike the Third Amended
4 Complaint (Doc. 35). Under FRCP 15, defendants' responsive pleading is therefore due
5 by February 7, 2024;
- 6 (2) At this time, defense counsel is currently working on motions in several other cases
7 that must be completed in that time frame including: preparing for opposition to a
8 *Pitchess* motion in *Bacoch v. Sacramento County Sheriff's Department*, Sacramento
9 County Superior Court, Case No. 34-2020-00277824; preparing motion challenging an
10 amended complaint in *Bolbolan v. City of Burlingam*, San Mateo County Superior
11 Court, Case No. 22CIV00514; and preparing an FRCP 11 motion in *Reimann v. Town
of Los Gatos, Reimann v. Town of Los Gatos, et al.*, Northern District Case No. 5:23-
12 cv-04134-NC.
- 14 (3) Further, defense counsel and defendants need more time to research the new allegations
15 set forth in Mr. Hoff's verified Fourth Amended Complaint in order to determine and
16 prepare the proper responsive pleading;
- 17 (4) Defense counsel also has a pre-planned, pre-paid vacation set for February 7 through
18 10, 2024;
- 19 (5) This is the first extension of time requested by defendants to file a responsive pleading
20 to the Fourth Amended Complaint. The parties previously stipulated to plaintiff filing a
21 second amended complaint and an extension of time for defendants to file a responsive
22 pleading thereto (Doc.11) which was granted by the Court on May 9, 2023 (Doc. 12).
23 Defendants previously filed an ex parte request for a one (1) week extension of time to
24 file a responsive pleading to plaintiff's Third Amended Complaint on October 12, 2023
25 (Doc. 23) which was granted on October 13, 2023 (Doc. 25);
- 26 (6) Under these circumstances, the parties have agreed and hereby stipulate to extend the
27 time for defendants to respond to the Fourth Amended Complaint (Doc. 36) from the
28 original responsive pleading due date of February 7, 2024 up to and including February

1 15, 2024.

2 IT IS SO STIPULATED.

3 Dated: January 28, 2024

LAW OFFICE OF RESHMA KAMATH

5 /s/ Reshma Kamath

6 RESHMA KAMATH
Attorney for Plaintiff

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9 Dated: January 28, 2024

RIVERA HEWITT PAUL LLP

10 /s/ Shanan L. Hewitt

11 SHANAN L. HEWITT
12 Attorneys for Defendants
13 COUNTY OF SISKIYOU AND ANDREA FOX

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2 **ORDER**
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4 Having considered the Parties' stipulation and good cause appearing, the Court hereby
5 grants the Parties' request for extension of the time for defendants to respond to the Fourth
6 Amended Complaint (Doc. 36). Defendants have up to and including February 15, 2024. to file
7 a responsive pleading.
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9 **IT IS SO ORDERED.**
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11 Dated: January 29, 2024

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14 WILLIAM B. SHUBB
15 UNITED STATES DISTRICT JUDGE
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